

Message Text

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PAGE 01 ANKARA 01474 211135Z

47

ACTION EB-07

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R 211115Z FEB 75

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC 8046

INFO AMCONSUL ISTANBUL

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E.O. 11652: N/A

TAGS: EINV, ETRD

SUBJ: TURKISH ELIGIBILITY FOR GENERALIZED PREFERENCES (GSP)
UNDER NATIONALIZATION AND ARBITRATION PROVISIONS OF TRADE ACT

REF: STATE 31586

1. WE ARE NOT RPT NOT AWARE OF ANY OUTSTANDING CASES IN TURKEY WHICH WOULD AFFECT ELIGIBILITY OF GOT FOR STATUS AS BENEFICIARY UNDER GSP UNDER NATIONALIZATION AND ARBITRATION PROVISION OF TRADE ACT OF 1974.

2. A POTENTIAL PROBLEM EXISTS, HOWEVER, WITH RESPECT TO CURRENT DISPUTE INVOLVING MOBIL COMPANY (AS WELL AS BRITISH BP COMPANY) WITH RESPECT TO PRICE IMPOSED BY GOT FOR IMPORTS OF CRUDE PETROLEUM. (DEVELOPMENTS IN THIS DISPUTE HAVE BEEN REPORTED IN A NUMBER OF COMMUNICATIONS DURING PAST YEAR, INCLUDING MOST RECENTLY ANKARA 698 AND ISTANBUL 444.) CURRENTLY, THE COMPANIES HAVE BEEN PUT ON NOTICE AS OF FEBRUARY 6 THAT THE GOT WILL WITHIN 90 DAYS ACT UNDER ARTICLE 132 OF THE PETROLEUM LAW TO REVOKE THEIR INVESTMENT CERTIFICATE, OR TAKE OTHER ACTION, IF THE COMPANIES DO NOT TAKE STEPS TO RESUME THE IMPORTATION OF CRUDE PETROLEUM.

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PAGE 02 ANKARA 01474 211135Z

IN THE MEANTIME, COMPANY OFFICIALS ARE CONTINUING TALKS WITH

TURKISH OFFICIALS TO SEEK AN EQUITABLE SOLUTION.

3. EMBASSY HAD ON FEBRUARY 13 IN WRITING INFORMED OFFICIALS OF MINISTRY OF FOREIGN AFFAIRS (MFA) OF PETENTIAL APPLICATION OF NATIONALIZATION AND ARBITRATION PROVISIONS OF TRADE ACT OF GOT ELIGIBILITY FOR GSP IN EVENT OF POSSIBLE FUTURE ACTION AGAINST MOBIL. THIS INFORMATION WAS CONVEYED BOTH TO (A) MFA OFFICIAL WITH WHOM EMBASSY HAS PREVIOUSLY DISCUSSED MOBIL SITUATION AND (B) MFA OFFICIALS WITH WHOM EMBASSY HAS PREVIOUSLY DISCUSSED TRADE ACT AND SPECIFICALLY GSP. EMBASSY LETTER EMPHASIZED THAT INFORMATION REGARDING SECTION 502(B)(4) OF TITLE V WAS BEING BROUGHT TO ATTENTION OF MFA IN LINE WITH EARLIER EXCHANGES "TO ENSURE THAT PROVISIONS OF POSSIBLE RELEVANCE TO ELIGIBILITY OF TURKEY UNDER THE GSP ARE IDENTIFIED AND UNDERSTOOD IN ADVANCE."

4. EMBASSY AND CONSULATE GENERAL ISTANBUL HAVE BEEN IN REGULAR TOUCH REGARDING THIS PROBLEM WITH MOBIL REPRESENTATIVE FOR TURKEY, WHO IS RESIDENT IN ISTANBUL. IN LINE WITH WISHES OF MOBIL REP WE HAVE MADE INFORMAL APPROACHES TO GOT OFFICIALS TO ENCOURAGE EQUITABLE SETTLEMENT OF DISPUTE. AS THIS IS IN ITS PRESENT STAGE A POTENTIAL RATHER THAN AN OUTSTANDING CASE OF NATIONALIZATION, WE DO NOT RPT NOT BELIEVE THAT UNDER PRESENT CIRCUMSTANCES ANY ACTION IS NEEDED WITH RESPECT TO THE GSP ASPECTS OF THIS ISSUE BEYOND THE NOTIFICATION ALREADY GIVEN TO MFA.

MACOMBER

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